

State of Wisconsin, Plaintiff,
-VS-

**Original Adult Court
Jurisdiction Order**

_____, Defendant
Name

Date of Birth

Case No. _____

THE COURT FINDS:

1. The defendant is charged in a criminal complaint with the following original adult court jurisdiction crime(s) under §938.183(1), Wisconsin Statutes:

- ☐ Battery by prisoner after prior delinquency adjudication, §940.20(1), Wisconsin Statutes
☐ Assault by prisoner after prior delinquency adjudication, §946.43, Wisconsin Statutes
☐ Battery to probation/parole/aftercare agents, §940.20(2m), Wisconsin Statutes
☐ 1st degree intentional homicide *while age 10 through 14*, §940.01, Wisconsin Statutes
☐ Attempted 1st degree intentional homicide *while age 10 through 14*, §§939.32 and 940.01, Wisconsin Statutes
☐ 1st degree reckless homicide *while age 10 through 14*, §940.02, Wisconsin Statutes
☐ 2nd degree intentional homicide *while age 10 through 14*, §940.05, Wisconsin Statutes
☐ Any crime if the defendant has been previously waived and has been convicted or the waived proceeding is still pending
☐ Any crime if the defendant has been previously subject to original adult court jurisdiction and has been convicted or that proceeding is still pending

- ☐ 2a. This is a felony charge and a preliminary hearing was held and probable cause is found to believe that the defendant has committed the violation charged.
☐ 2b. This is a misdemeanor charge and a motion has been made by the defendant prior to the trial to transfer jurisdiction to the juvenile court.

IT IS ALSO FOUND AND ORDERED:

- ☐ 1. **This court retains jurisdiction** and the defendant is bound over for further proceedings.
- ☐ 2. **This court should not retain jurisdiction** and the defendant is transferred to juvenile court because:
- ☐ a. Felony: even though there is probable cause to believe the defendant committed the violation of which he or she is charged:
- If convicted, the defendant could not receive adequate treatment in the criminal justice system.
 - Transferring jurisdiction will not depreciate the seriousness of the offense.
 - Retaining jurisdiction is not necessary to deter the defendant or other juveniles from committing the violation of which the defendant is accused.
- ☐ b. Misdemeanor: the defendant did not commit the offense under the circumstances described in §938.183(1)(b) or (c), whichever is applicable, or that transfer of jurisdiction would be appropriate because:
- If convicted, the defendant could not receive adequate treatment in the criminal justice system.
 - Transferring jurisdiction will not depreciate the seriousness of the offense.
 - Retaining jurisdiction is not necessary to deter the defendant or other juveniles from committing the violation of which the defendant is accused.

BY THE COURT:

Signature of Circuit Judge

Name Printed or Typed

Date

Distribution:

1. Original – Criminal Court file
2. District Attorney
3. Defendant
4. Defendant's Attorney